

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JAMES ARTHUR GOLDSMITH,

Plaintiff,

Case No. 1:09cv627

v.

Hon. Robert J. Jonker

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on May 25, 2010. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed May 25, 2010, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that defendant's motion to dismiss (docket no. 9) is **GRANTED** and the complaint is **DISMISSED** as untimely.

/s/ Robert J. Jonker

ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: June 17, 2010.